

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police – Filing of SLP before the Hon’ble Supreme Court of India, New Delhi, against the orders of the Hon’ble High Court of Andhra Pradesh, Hyderabad, in W.P.Nos.14617/2003 and 10038/2005 – Permission accorded– Orders –Issued.

HOME (SER.II) DEPARTMENT

G.O.Rt.No. 594

dated:9-3-2009

Read:

From the DGP, AP, Hyderabad, Lr.Rc.No. 77/U4/2009, dated:3-3-2009

ORDER:

In the reference read above, the DGP, AP, Hyderabad, has reported that the Superintendent of Police, Khammam District, in exercise of the powers conferred by Art 311 (2) (b) of the Constitution of India r/w Rule 25 (2) of the APCS (CCA) Rules 1991, has dismissed Sri S. Srinivasa Rao, and B.D. Gupta, PCs, from service for their involvement in very serious nature offence of smuggling Ganja, vide proceedings C.No.2552/A6/2001 (D.O.No.1811/01), dated: 26-11-2001. The Hon’ble APAT, Hyderabad, in their orders dated: 12-05-2003, have dismissed the O.A. Nos. 9055/2001 and 9002/2001, filed by Sri S. Srinivasa Rao, and B.D. Gupta, Ex PCs.

2. The Director General of Police, Andhra Pradesh, Hyderabad, has further reported that the Hon’ble High Court of Andhra Pradesh, in the orders dated: 24-06-2008 in W.P. No.14617/2003 and 10038/2005, filed by Sri S. Srinivasa Rao, and B.D. Gupta, Ex PCs, have set-aside the proceedings of the Superintendent of Police, Khammam District. The High Court of A.P., Hyderabad, have directed the respondents to reinstate the petitioners into service within a period of six weeks with payment of salary and allowances to the applicants from the date of their removal. However, the respondents are at liberty to conduct fresh enquiry against the petitioners.

3. The Director General of Police, Andhra Pradesh, Hyderabad, has further reported that if the charges against the petitioners are proved in the departmental enquiry, they are liable for dismissal from service. The Government Pleader, High Court of A.P., Hyderabad, in his letter No. W.P. No. 14617/2003 and 10038/2005/GVS/Service-I, dated: 05-02-2009, has informed that it is a fit case for filing SLP before Hon’ble Supreme Court of India, New Delhi.

4. The Director General of Police, Andhra Pradesh, Hyderabad, has, therefore, requested Government to accord permission to file SLP in the Hon’ble Supreme Court of India, New Delhi, against the orders of the Hon’ble High Court, dated: 24-06-2008, in W.P.No.14617/2003 and 10038/2005, filed by Sri S. Srinivasa Rao, and B.D. Gupta, Ex PCs of Khammam District, as the nature of the offence involving by the Ex PCs., is very serious in nature.

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5. Government after careful examination of the matter hereby permit the Director General of Police, Andhra Pradesh, Hyderabad, to file SLP in the Hon'ble Supreme Court of India, New Delhi, against the orders of the Hon'ble High Court of Andhra Pradesh, Hyderabad, dated: 24-06-2008, in W.P.Nos.14617/2003 and 10038/2005, filed by Sri S. Srinivasa Rao, and B.D. Gupta, Ex PCs., respectively.

6. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, Andhra Pradesh, Hyderabad,
The Superintendent of Police, Khammam District
SF/SC

//Forwarded :: By order//

SECTION OFFICER